REMARKS

In the January 11, 2005 Office Action, the specification was objected to and claims 14, 17, and 20 stand rejected in view of prior art, while claims 1-13, 15, 16, 18, 19, and 21-46 were withdrawn from consideration. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the January 11, 2005 Office Action, Applicant has amended the specification and claims 14, 17, and 20, cancelled claims 1-12, and has added new claims 47-49 as indicated above. Thus, claims 13-49 are pending, with claims 13-20, 30, and 44 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Election of Species

In item 1 of the Office Action, Applicant's election of Group II without traverse in the response filed on December 9, 2004 was acknowledged. Further, an interview was conducted via telephone between Examiner Binda and the undersigned because the December 9, 2004 response did not include an election of species. Species I, which relates to the first embodiment, was elected. Thus, as shown in item 2 of the Office Action, non-elected claims 1-13, 15, 16, 18, 19, and 21-46 were withdrawn from further consideration.

Upon further examination of the claims, Applicant believes that claims 13-20 and 30-46 relate to the embodiments shown in Figures 30-56 of the present application because each claim recites at least two frictional resistance generating portions. As seen in Figure 20 of the present application, the first embodiment discloses only one frictional resistance portion 61. Thus, Applicant respectfully asserts that if the examined claims 14, 17, and 20, which recite two frictional resistance generating portions and suppressing portions or operating ranges, relate to

Species I then all the claims in Group II, claims 13-20 and 30-46, relate to Species I and should be examined.

Applicant apologizes for not mentioning this sooner. Further, Applicant would like to thank the Examiner for his helpful suggestions in how to address this issue.

Specification

In item 3 of the Office Action, Applicant's cooperation was requested in correcting errors in the specification. In response, Applicant has corrected those errors that were apparent during review of the specification.

In item 4 of the Office Action, the specification was objected to for errors. In response, Applicant has amended the specification to correct the errors.

Specifically, on page 37, line 21 the words -- of the disk shaped member 13 -- were added as suggested. On page 59, lines 10-12, the member on the output side was identified as the flywheel 21, and it was clarified that there was no frictional engagement between the two when the washer 61 does not slide.

In item 5 of the Office Action, the abstract of the disclosure was objected to because it stated that the frictional generating mechanism 7 does not operate in the second stage of the torsion characteristics. The abstract was amended to state that the frictional resistance generating mechanism 7 does not operate in portions of the second stage of the torsion characteristics in response to vibrations.

Applicant believes that the specification is now correct. Withdrawal of the objections is respectfully requested.

Rejections - 35 U.S.C. § 102

In item 7 of the Office Action, claim 20 stands rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,283,864 (Reik et al). In item 8 of the Office Action, claims 14, 17, and 20 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,715,922 (Imanaka). In response, Applicant has amended independent claims 14, 17, and 20 to define clearly the present invention over the prior art of record.

In particular, independent claim 14 has been amended to recite that the first torsion angle range is located in any angle range of the two relatively rotatable members (as first mentioned in the specification on page 7 lines 17-20), and is defined by the application of minute torsional vibrations. Similarly, claim 17 has been amended to recite the torsion angle range is located in any angle range of the two relatively rotatable members, and is defined by the application of minute torsional vibrations. Claim 20 has been amended to recite that the intermediate friction generating portion is configured to operate at any angle range of the two relatively rotatable members, and commencement of operation of the intermediate friction generating portion is defined by application of minute torsional vibrations.

In contrast, Reik et al. and Imanaka disclose two stage torque characteristics that occur at specified angles in the torsional characteristics. Specifically, as seen in Reik et al., especially column 8, lines 33-44 thereof, the intermediate friction generating mechanism 39 of Reik et al. is arranged to operate during ***every*** stage of relative rotation between the discs 35 and 36 relative to the innermost portion 34 of the output component 29. Further, the additional friction generating coupling device 40 becomes effective only during a certain stage of angular movement of the flywheel 4 relative to the flywheel 3. Thus, these ranges are fixed relative to the rotation of the rotatable members and not related to application of minute torsional vibrations.

Similarly, as seen in column 7, lines 30-55, especially lines 38-46, the first frictional resistance generating portion 18c, and/or the intermediate friction generating portion is arranged to operate dependent on the total relative rotation between the clutch plate 3 and retaining plate 4 and the hub 2. Thus, their ranges are fixed relative to the rotation of the rotatable members and not related to application of minute torsional vibrations.

Clearly, this structure is ***not*** disclosed or suggested by Reik et al., Imanaka, or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each element of the claim within the reference. Therefore, Applicant respectfully submits that claims 14, 17, and 20, as now amended, are not anticipated by the prior art of record. Withdrawal of the rejections is respectfully requested.

New Claims 47 - 49

Applicant has added new claims 47-49. Claims 47-49 respectively depend on claims 14, 17, and 20. Thus, Applicant believes that the claims are allowable for the reasons mentioned above. Further, Applicant believes that claims are further allowable because they include additional limitations. Examination and consideration are respectfully requested.

Prior Art Citation

In the Office Action, additional prior art references were made of record. Applicant believes that these references do not render the claimed invention obvious.

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In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 14, 17, and 20 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

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